

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

UNITED STATES OF AMERICA

v.

MICHAEL RAFEAL BERKLEY,

Defendant.

Case No. 3:22-cr-101-MHL

**STATUS REPORT**

The United States of America, through the undersigned counsel, files this report to provide the Court with an update as to both the status of the parties' proposed discovery review framework, and the parties' agreed-upon availabilities for a scheduling hearing in this matter.

*1. Proposed Discovery Review Framework*

The United States has circulated a proposed Discovery Review Framework with stand-by counsel William J. Dinkin, the United States Marshal's Service, and the Northern Neck Regional Jail.<sup>1</sup> Those parties have all reviewed that proposed Framework and have indicated that they have no objections. Mr. Dinkin mailed the proposed Framework to the defendant on April 13 and plans to discuss the Framework with the defendant upon the defendant's receipt and review of that document.

The United States will file the Framework as a joint motion should the defendant indicate his approval; should the defendant raise objections to (or propose edits to) the Framework, the parties will coordinate to attempt to draft a framework acceptable to all the above-referenced

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<sup>1</sup> The defendant has been detained at Northern Neck Regional Jail since his arrest.

parties (and in the event that the parties cannot reach a consensus, the United States will file the Framework with the Court while noting the scope of the parties' disagreements).

*2. Proposed Scheduling Hearing Dates*

The United States and stand-by counsel have also conferred regarding dates for a Scheduling Hearing, and advise the Court that the parties are both available on the following dates and times over the following week:

- Tuesday, April 18, from 9:00 a.m. – 12:00 p.m.
- Thursday, April 20, from 1:00 – 5:00 p.m.
- Friday, April 21, from 1:00 – 5:00 p.m.

Respectfully submitted,

JESSICA D. ABER  
UNITED STATES ATTORNEY

By:                     /s/                      
Thomas A. Garnett  
Virginia Bar No. 86054  
Assistant United States Attorney  
Attorney for the United States  
U.S. Attorney's Office  
919 E. Main Street, Suite 1900  
Richmond, Virginia 23219  
Phone: 804-819-5400  
Fax: 804-771-2316  
Email: [Thomas.A.Garnett@usdoj.gov](mailto:Thomas.A.Garnett@usdoj.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that on April 13, 2023, I filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send an electronic copy to all counsel of record in this matter.

I further certify that on April 13, 2023, a copy of the foregoing was mailed, via First Class Mail, to the defendant at the following address:

Michael R. Berkley  
No. 51754  
Northern Neck Regional Jail  
P.O. Box 1069  
Warsaw, Virginia 22572

By:                     /s/                      
Thomas A. Garnett  
Assistant United States Attorney  
Virginia Bar No. 86054  
United States Attorney's Office  
Eastern District of Virginia  
919 East Main Street  
Richmond, Virginia 23219  
Phone: (804) 819-5431  
Email: Thomas.A.Garnett@usdoj.gov